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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/248,736	02/11/1999	TERRY MICHAEL BLEIZEFFER	ST998029	9147

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EXAMINER

LE, DEBBIE M

ART UNIT

PAPER NUMBER

2177

DATE MAILED: 07/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/248,736

Applicant(s)

WONG ET AL.

Examiner

DEBBIE M LE

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-105 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 64-105 is/are allowed.
- 6) ☒ Claim(s) 1-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This is a response to applicant's arguments filed on 1/25/02, paper # 8.

Applicant's arguments with respect to claims 1-63 have been considered but are moot in view of the new ground(s) of rejection.

Response to Arguments

Applicant's arguments filed on 1/25/02, paper # 8 at page 15 that neither Kiernan nor Eick teach, disclose, or suggest the creation of a filter comprising filter criteria, a comparator operator, and a comparison value.

In response, the examiner noted that elements (i.e., a comparator operator, and a comparison value) are not in neither the claim 1 or 2. However, applicants have made a change to the independent claim 1 that would change the scope of the claim.

Therefore, claim 2 is also been rejected under the new ground of rejection because it depends on claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-63 rejected under 35 U.S.C. 103(a) as being unpatentable over Kiernan et al (US Patent 5,701,137) in view of Weidenfeller et al (US Patent 6,028,602).

As per claim 1, Kiernan discloses a system for displaying a tree structure for representing hierarchical data in programmed computer comprising:

selecting one or more objects on the original tree to be contained in the customized tree in response to user input; linking the selected objects in a user-specified manner (fig. 8b, col. 3, lines 1-8, col. 6, lines 26-61).

Kiernan does not explicitly teach wherein the one or more objects are located in disparate places across different branches of the original tree. However, Weidenfeller discloses that one or more objects are located in disparate places across different branches of the original tree (fig. 7, col. 3, lines 17-29, col. 5, lines 14-25, 66-67, col. 6, lines 1-19, col. 9, lines 1-15). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Keirnan with Weidenfeller to implement the step of one or more objects are located in disparate places across different branches of the original tree in order to provide users the

capability to perform operations on an object tree in a graphical user interface to display the user's selected object within the content of its hierarchy and also display related objects defined by user specified criteria. The selection's object makes it much easier to ensure that all and only the elements which should be selected are selected.

As per claim 2, Weidenfeller teaches creating a filter (bucket) for the selected object in response to user input, wherein the filter specifies a selection criteria to select objects to be contained within the selected object on the customized tree; and applying the filter to create the customized tree with the selected object and the objects to be contained within the selected object (figs. 10-11, col. 6, lines 61-67, col. 7, lines 1-34).

As per claim 3, Weidenfeller teaches the step of applying the filter further comprises the step of selecting objects from multiple parent objects (fig. 7).

As per claim 4, Kiernan teaches the multiple parent objects are contained on multiple platforms (col. 4, lines 44-58, col. 5, lines 3-12).

As per claim 5, Kiernan teaches if the objects to be selected by the filter change, the customized tree is automatically updated to reflect the changed objects (col. 3, lines 6-11).

As per claim 6, Kiernan teaches the step of modifying the customized tree (col. 10, lines 57-60)

As per claim 7-8, Kiernan teaches the step of modifying further comprising the step of adding, removing an object to the customized tree (col. 10, lines 61-44).

As per claim 9, Kiernan teaches the step of modifying further comprises the step of copying an object into the customized tree (col. 10, lines 41-48).

As per claim 10, Kiernan teaches the step of modifying further comprises the step of copying an object from a first position in the customized tree to a second position in the customized tree (col. 10, lines 49-53).

As per claim 11, Kiernan teaches wherein the step of modifying further comprises the step of removing the customized tree (col. 11, lines 8-30).

As per claim 12, Kiernan teaches wherein the step of modifying further comprises the step of changing an object (col. 10-11, lines 61-8).

As per claim 13, Kiernan teaches the step of using the customized tree to simultaneously perform an action on multiple objects contained in the customized tree (col. 1-, lines 49-53).

As per claim 14, Kiernan teaches a step of restricting access to the customized tree (col. 9-10, lines 55-20).

As per claim 15-17, Kiernan teaches a step of enabling customization of labels for objects in the customized tree; each label distinguishes between different objects of similar type; each label is an indicator of a filter (col. 7, lines 38-65, col. 8, lines 27-42).

As per claim 18, Kiernan teaches a step of providing graphical user interfaces for creating the customized tree and wherein the user input is received from one or more graphical user interfaces (col. 5-6, lines 25-4).

As per claim 19, Kiernan teaches the customized tree contains a subset of the object of the original tree (8a-8b, col. 9-10, lines 9-48).

As per claim 20, Kiernan teaches the objects of the customized tree are organized in a user-specified manner (col. 10, lines 54-66).

As per claim 21, Kiernan teaches the step of creating multiple customized tree (col. 10, lines 50-53).

The limitations of claims 22 and 43 have already been discussed in the rejection of claim 1 above. Therefore, they are rejected by the same rationale.

Claims 26-42, 46-63 have similar limitations as claim 6-21; therefore, they are rejected by the same subject matter.

Claims 23-25 and 44-45 are rejected by the same rationale as stated in claim 3-5 arguments.

The following is an examiner's statement of reasons for allowance:

Hogan et al (US Patent 5,414,809) teaches user can apply a filter to specify what data is to be presented on the graph and using a filter to manipulate the graph to edit the underlying data represented by the graph (cols. 23-24, col. 25, lines 1-20).

The prior art of record because the art of record fails to teach or fairly suggest creating a filter for the selected object in response to user input, wherein the filter comprises user specified filter criteria, a user specified comparator operator, and a user specified comparison value, wherein the user specified comparator operator specifies how the user specified filter criteria is compared with the user specified comparison value, to determine objects to be contained within the selected object on the customized tree, as detailed in independent claims 64, 78 and 92.

Therefore, claims 64-105 are patently distinct over the art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose phone number is (703) 305-9601 for faster service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEBBIE M LE whose telephone number is 703-308-6409. The examiner can normally be reached on 8:30-5:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN BREENE can be reached on 703-305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



DEBBIE M LE
Examiner
Art Unit 2177

Debbie Le
July 11, 2002



JEAN R. HOMERE
PRIMARY EXAMINER